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September 28, 2007

Mr. Jeff S. Jordan
Supervisory Attorney
Complaints Examination & Legal Administration
Federal Election Commission
999 E Street NW
Washington, DC 20463

RE: MUR 5937

Dear Mr. Jordan:

On behalf of Romney for President, Inc. (hereinafter "RFP") and Darrell Crate, RFP Treasurer, we write in response to a Complaint filed by Massachusetts voter Greg Sabine and assigned MUR 5937. Because Mr. Sabine's Complaint inaccurately describes the fundraisers in question and fails to state a violation of the law, we respectfully request that the Commission dismiss the Complaint and take no further action in this matter.

Mr. Sabine apparently contends that outside the "volunteer exception" set forth at 11 C.F.R. § 100.79, federal political committees must pay for the travel of *all* fundraising event attendees for *every* type of fundraising event. This has never been the Commission's position or the generally accepted practice of the regulated community.

As you know, campaigns such as RFP hold fundraising events and fulfillment events across the country on a regular basis. At some events, donors must agree to contribute a particular amount of money in order to be admitted. At other events, campaigns do not request contributions but seek simply to "reward" particularly successful volunteer fundraisers with meals and entertainment (i.e., "fulfillment events"). Finally, admission to some events is contingent upon an attendee's commitment to raise a certain amount of funds for the campaign. For instance, a donor who has already contributed the maximum amount allowable under federal law could either bring additional donors to the fundraiser or agree to solicit additional funds for the campaign based on the event.

On June 24 and June 25, 2007, RFP hosted more than 600 donors and volunteer fundraisers for a series of fundraising events in Boston, Massachusetts.¹ In order to

¹ Mr. Sabine also references an RFP fundraising event held on January 8, 2007, although he does not allege wrongdoing with respect to this event. As with the June 24 and June 25 events, attendees did not participate in any public communications, mass literature drops, door-to-door

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RSVP for the events, attendees were required to bring or commit to raising \$5,000 for the events. On the evening of June 24, the campaign held a traditional "reward" or "fulfillment" dinner at Fenway Park in Boston, Massachusetts. Attendees were permitted to walk the perimeter of the field, touch the "Green Monster," visit the guest dugout, and be photographed with the 2004 Red Sox World Series trophy. On the following day at Banknorth Garden in Boston, the campaign held a second event where donors were invited to bring check contributions, solicit friends and personal contacts, and socialize with other donors. Breakfast, lunch, and snacks were served.

Many donors made contributions to the campaign before, during, and after the two events. Other donors delivered check contributions from friends or made solicitations at the events. Still others brought credit card information belonging to friends who had agreed to make contributions. In short, the event on June 24 was a standard "thank you" to donors and volunteer fundraisers, and the event on the June 25 was a large fundraiser where *donors* – some "maxed out," and some not – also solicited contributions.

Despite the Complaint's mischaracterization, the event on June 25 was clearly a *fundraising* event. Attendees did not participate in any public communications, mass literature drops, door-to-door visits, political/grassroots advocacy telephone calls, or other political organizing. Indeed, as with most fundraisers, the event was designed to *raise funds*, not generate grassroots political activity. As an obvious testament to this fact, the event raised approximately \$2 million.

As is common with fundraising events organized by federal political committees, RFP was not responsible for attendee travel costs. The campaign did not request that any individual or entity pay for the travel of any other individual or group of individuals. It did not book or arrange a charter plane on behalf of any individual or entity seeking to pay for the travel of others.

However, as its Second and Third Quarter filings will show, the campaign paid for *all* event costs, including but not limited to: (1) shuttles between and among various locations; (2) food and beverages at the events; (3) invitations; (4) event entertainment; (5) event venue and furniture rental; (6) staff travel; (7) gift bags for attendees; and (8) all event supplies such as name tags and t-shirts for campaign staff.

visits, political/grassroots advocacy telephone calls, or other political organizing. As with the June 24 and June 25 events, RFP was not responsible for attendee travel costs. It did not request that any individual or entity pay for the travel of any other individual or group of individuals. It did not book or arrange a charter plane on behalf of any individual or entity seeking to pay for the travel of others. The campaign paid for *all* costs of the event, which raised approximately \$6.5 million.

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Given these facts, the complaint is facially insufficient to state a violation. We respectfully request that the Commission dismiss the Complaint and take no further action in this matter.

Sincerely,



Kathryn Biber Chen
General Counsel



Audrey Perry
Deputy General Counsel

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**Notification of Receipt of
Response to MUR 5937**

The Federal Election Commission has received Romney for President Inc.'s response to MUR 5937.

Signature

Date

Printed Name

Title

Please sign and return this form to Romney for President by mailing, faxing, or scanning and emailing it to:

Mail: Ms. Audrey Perry
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Romney for President, Inc.
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